## Before the State of South Carolina Department of Insurance

In the Matter of:	. )	SCDOI Docket # 02-153
	)	
Vito B. Gruppuso	)	ORDER REVOKING
	)	NON RESIDENT PRODUCER
	)	LICENSE
	)	

This matter comes before the South Carolina Department of Insurance (the Department), upon application of David E. Belton, Esquire, Senior Associate General Counsel for the Department, requesting the revocation of Vito B. Gruppuso's ("Producers's") nonresident producer's license.

After careful review of the evidence presented, the Department issues the following decision.

## FINDINGS OF FACT

Producer was a New Jersey licensed resident individual insurance producer.

Producer is currently a South Carolina nonresident producer.

In the State of New Jersey producer was charged with three (3) criminal offenses of "Theft by failure to make required disposition of property received."

On September 12, 2002, by consent order, the State of New Jersey Department of Banking and Insurance suspended Vito B. Gruppuso producer's license.

## CONCLUSIONS OF LAW

Pursuant to S.C. Code §38-43-70 (A)(1) "A nonresident person shall receive a non-resident producer's license if: the person is currently licensed as a resident and in good standing in his home state." Thus, as a result of Mr. Gruppuso home state of New Jersey producer's license being suspended on September 12, 2002, the state of South Carolina Department of Insurance must now revoke his South Carolina nonresident producer license.

THEREFORE, it is ordered that Vito B. Gruppuso, a South Carolina nonresident producer license shall be revoked thirty (30) days from the date of this order, and no license issued through the state of South Carolina Department of Insurance is to be issued to him, unless Vito B. Gruppuso requests in writing within said thirty (30) day period a public hearing before the South Carolina Administrative Law Court.

It is FURTHER ORDERED that the National Association of Insurance Commissioners be immediately notified of this order.

This South Carolina Department of Insurance administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *freedom of Information Act, S.C. Code Ann. §§30-4-10, et seq.* (1991 and Supp. 2000). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. §38-3-110(3) (Supp. 2000).

Eleanor Kitzman
Director of Insurance

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Dated this 2006